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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,189	01/20/2006	Stefan Thronberens	THRO3001JEK	9495

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EXAMINER	
MERLINO, ALYSON MARIE	
ART UNIT	**PAPER NUMBER**
3676	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/565,189	THRONBERENS ET AL.	
	Examiner	Art Unit	
	Alyson M. Merlino	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-6 and 8-10* is/are rejected.

7)☒ Claim(s) *2 and 7* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 January 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *26 July 2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The disclosure is objected to because of the following informalities: clarity issues and grammatical errors.

a. In paragraphs 1, 3, and 4 on page 1, the reference to the claims is improper within the specification, since the scope of the claims could change during prosecution, therefore, the references should be removed.

b. Titles detailing the specific sections of the specification should be included, such as “Field of Invention” before paragraph 1 on page 1, “Background of the Invention” before paragraph 2 on page 1, “Summary of Invention” before paragraph 3 on page 1, “Brief Description of Drawings” before paragraph 5 on page 1, and “Description of Preferred Embodiments” before the second full paragraph on page 2.

c. On page 2, the first line of the fifth full paragraph, the word "extends" should be changed to "extending" in order to be grammatically correct. In the second line of that same paragraph, the phrase beginning in line 1 should end at the phrase "not shown" and the next phrase should begin a new sentence, inserting the words "The control member 4" before the word "has."

Appropriate correction is required.

Claim Objections

3. Claims 1, 4-6, 9, and 10 are objected to because of the following informalities:

a. In regards to claim 1, line 16 of the claim, the phrase "which slot is defined" should be changed to "said slot defined."

b. In regards to claim 4, lines 3 and 4 of the claim, the phrase "which is supported on one end on the inertial element and on the other end on the stator" should be changed to "which is supported on one end of the inertial element and the other end on the stator."

c. In regards to claims 5 and 10, line 4 of the claims, the phrase "which slot is defined" should be changed to " in which said slot is defined."

d. In regards to claim 6, line 13 of the claim, the phrase "which slot is defined" should be changed to "said slot defined."

e. In regards to claim 9, line 4 of the claim, the phrase "which is supported on one end on the inertial element and on the other end on the stator" should be changed to "which is supported on one end of the inertial element and the other end on the stator."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. **Claims 1, 3-6, and 8-10 are rejected** under 35 U.S.C. 102(b) as being anticipated by Landmann et al. (DE 19957624). The examiner would like to note that an automated translation of the prior art was used for the rejection, and the references to the text are from that translation.

5. **In regards to claims 1 and 6**, Landmann et al. discloses an electronic steering wheel lock for motor vehicles, which can be unlocked by an electronic key 7, and has a locking member 9 for locking the motor vehicle steering shaft against rotation (paragraph 31, lines 1-3), and a rotor 4 that is rotatable out of an initial position (Figure 1) and back into the initial position for moving the locking member back and forth between a steering shaft locking position and a steering shaft releasing position (movement of rotor and locking member between Figures 1, 4, and 7). Landmann et al. further discloses that the rotor and locking member move within a stator 1, in which the rotor cannot be rotated out of the initial position until an electromagnet 10, coaxial with the rotor, has been energized with the aid of the electronic key (paragraphs 32 and 33). Furthermore, the rotor, in its initial position, is under the influence of a spring load created by spring 20 can be coupled with the stator, and is axially displaceable in the stator by means of the electromagnet against the action of the spring load in order to release the mutual engagement of the rotor and the stator (paragraph 32). Landmann et al also discloses that the rotor has at least one coupling dog 21, which cooperates with a coupling slot 22 of the stator, which is defined on the side toward which the rotor

is rotatable out of its initial position by an inertial element 5, which is displaceable in the stator.

6. Landmann et al. further discloses that the electronic steering wheel lock device can be used in conjunction with an electronic ignition and starting switch for a motor vehicle. Furthermore, Landmann et al. discloses that the rotor is used to switch the ignition system and the starter of the vehicle on and off through its rotation into various switching positions within the stator (paragraph 40). The rotor and other components, such as the electromagnet, function in the same manner as discussed above, but also work in conjunction with an ignition system and a starter in order to switch them between on and off positions, as disclosed by Landmann et al.

7. In regards to the last three lines of claims 1 and 6, dealing with a blow on the stator, the limitation within these lines is functional language, and will not be given patentable weight. Therefore, the blow is considered to be a tap on the device, and it is apparent from the stability of the construction of the electronic steering wheel lock disclosed by Landmann et al. that the device would be able to withstand a tap to stator.

8. **In regards to claims 3 and 8**, Landmann et al. discloses that the coupling dog of the rotor protrudes axially from the rotor (Figure 2), and the coupling slot of the stator extends parallel to the longitudinal axis of the rotor (axis in direction of A', Figure 4).

9. **In regards to claims 4 and 9**, Landmann et al. discloses that the inertial element 5 is loaded onto its rest position by a helical compression spring 28, which is supported on one end of the inertial element and the other end on the stator (position of spring in Figure 1, and paragraph 22, lines 5-9).

10. **In regards to claims 5 and 10**, Landmann et al. discloses that the rotor has ~~tow~~ two diametrically opposed coupling dogs (Figure 2), which each cooperate with a respective coupling slot of the stator (Figure 2), defined laterally by an inertial element (placement of slot with respect to inertial element 5, Figure 4).

Allowable Subject Matter

11. **Claims 2 and 7 are objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alyson M. Merlino whose telephone number is (571) 272-2219. The examiner can normally be reached on Monday through Friday, 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AM AM
January 19, 2007

BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER